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AUG 19 2004

In re Application of : **OFFICE OF PETITIONS**
Soeng Seck Han :
Application No. 10/760,388 :
Filed: January 21, 2004 : **ON PETITION**
For: AIR CONDITIONER FOR VEHICLE:

This is a decision on the Petition, filed June 15, 2004, requesting the application be accorded a filing date of January 21, 2004, including drawing Figures 1 - 6 described in the specification.

The petition is **granted**.

The application was filed on January 21, 2004. However, on April 27, 2004, the Office of Initial Patent Examination mailed a Notice of Incomplete Nonprovisional Application, noting that a filing date had NOT been accorded the application because the application had been deposited without drawings.

In response, Petitioner files the instant petition wherein Petitioner avers that six (6) sheets of formal drawings were originally filed with the application on January 21, 2004, and were received by this Office as evidenced by the return-receipt postcard. In support, Petitioner provides a copy of a return receipt postcard acknowledging receipt of, *inter alia*, 6 sheets of formal drawings on January 21, 2004.

A review of the return receipt postcard reveals that Petitioner is correct. The postcard acknowledges receipt of six (6) sheets of formal drawings on January 21, 2004. Petitioner has also re-submitted six (6) sheets of drawings, comprising Figures 1 - 6, with the instant petition.

Evidence of receipt of any correspondence filed in the Patent and Trademark Office can be obtained by submitting a self-addressed postcard properly itemizing and identifying the paper or papers being filed. Upon receipt of the correspondence, the Patent and Trademark Office will check the listing on the post card against the papers submitted, making sure that all items listed are present and will then stamp the postcard with an Official date stamp and place the postcard in the outgoing mail. "A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all items listed thereon by the PTO." MPEP § 503.

The copy of 6 sheets of drawings, comprising Figures 1 - 6, supplied on June 15, 2004, will be used for examination purposes.

A refund of the petition fee has been credited to deposit account 07-1337 as authorized in the instant petition.

The application will be returned to the Office of Initial Patent Examination for further processing as a nonprovisional application with a filing date of January 21, 2004, and an indication that 6 sheets of drawings were present on filing, using the 6 sheets of drawings filed on June 15, 2004.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 305-0014.



Derek L. Woods
Petitions Attorney
Office of Petitions